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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA,

Plaintiff,

v.

DOCKET 19-CR-26-J

ROBERT WILLIAM MITCHELL,

Defendant.

DEFENDANT MITCHELL'S UNCONTESTED MOTION TO MODIFY
DEFENDANT MITCHELL'S ACCESS TO DISCOVERY

Defendant Robert William Mitchell, through his attorney, Assistant Federal Public Defender, with the stipulation of the government, asks the Court to enter an Order authorizing his counsel to provide him with discovery materials, subject to certain limitations as expressed in this motion.

Mr. Mitchell makes this request based on the large volume of discovery that has been provided by the government containing hours of video recorded interviews and over 56 gigabytes of data containing thousands of pages of documents.

In its order governing access to discovery materials, the Court placed restrictions, subject to being "otherwise addressed by the parties," on the

dissemination of discovery materials to a defendant unless reviewed in the presence of a “Defense Team member.” The purpose of this motion is to “otherwise address” this restriction and modify this requirement as to Mr. Mitchell.

Mr. Mitchell lives in Colorado and is currently on pretrial release. Prior to the COVID-19 pandemic, Mr. Mitchell was reviewing discovery with a member of his defense team in the Federal Defender Office in Denver, Colorado. Since it is advisable to maintain social distancing, the Denver Office has been closed. Counsel and the defense team have been working from home and therefore unable to meet with Mr. Mitchell in person. Additionally, Mr. Mitchell has limited resources and it is not practical for him to come to Wyoming to review the voluminous discovery materials in the presence of his counsel or other defense team member. The parties agree that it is reasonable for Mr. Mitchell to be provided discovery materials for him to review in Colorado, without the need for the presence of a defense team member, PROVIDED that such materials do not include the following:

1. Personal identifying information of others (such as social security numbers and birth dates); or
2. Bank records of accounts not belonging to Mr. Mitchell or his related businesses.

The United States, through AUSA Eric Heimann stipulates to this request and to the requested relief. A proposed order is attached, the form of which has been approved by the United States.

Accordingly, Mr. Mitchell requests that the Court enter an order allowing

counsel to provide him with discovery materials as set forth herein.

DATED this 22nd day of May 2020.

Respectfully submitted,

VIRGINIA L. GRADY
Federal Public Defender

/s/Tracy Racicot Hucke
Tracy Racicot Hucke
Assistant Federal Public Defender

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served on the 22nd day of May 2020,
by:

- e-mail
- hand delivery to USAO court box
- fax
- mail, postage paid
- electronic filing

/s/ Tracy Racicot Hucke
Tracy Racicot Hucke
Assistant Federal Public Defender